

I shall place a small guard at the mouth of the Restook, for the purpose of protecting the boom and assisting the proper officer in the protection of timber seized in its descent from the Restook into the St. John, attaching to each party a small number of militia.

I shall make a similar arrangement at Woodstock, concentrating the remainder of Her Majesty's troops at this place and St. John.

The temporary arrangement entered into with the State of Maine, through the agency of my friend, General Scott, is virtually, that Maine is for the present permitted to remain in the occupation by a Civil Posse of the valley of the Restook, without our admitting any right on her part to do so. New Brunswick remains in the possession of the valley of St. John, without our right to it being conceded by Maine.

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Inclosure I in No. 3.

*General Scott to Major-General Sir John Harvey.*

My dear Sir John,

*Augusta, Maine, March 21, 1839.*

I RECEIVED with extraordinary dispatch your noble and friendly reply, dated the 12th instant, to my semi-official note addressed to you three days before, and communicating to his Excellency Governor Fairfield, your conciliatory dispositions; we were both anxious to respond in the same spirit, without a moment's delay, but the Governor thought he could make no promise to withdraw the troops of Maine before it could be known that the Legislature would pass a resolution authorizing him to do so. It is now certain that such resolution will be adopted; and apologising for the delay that has occurred, I hasten to dispatch the official note which accompanies this, and sincerely hope that it may prove satisfactory; in that event, and very soon after hearing from you, I do not doubt that I shall have the happiness of communicating to you a certified copy of the Governor's order for the recall of his troops; should I, however, contrary to all expectation, not have it in my power to inclose such order, and promptly, I pledge myself to return you your reply without having permitted it to pass out of my hands, and without permitting a copy of it to be taken.

I have been obliged to be a little specific in the declaration I have taken the liberty to invite from you, in order that I might be equally so in the proposed declaration to be made on the part of Maine, all which may be considered as warranted by treating my note to you of the 9th instant, and your reply of the 12th, as semi-official, and as such, liable to be produced in explanation, if necessary. To this I have no objection, and hope you may feel none.

That negotiations are about to be renewed between our Governments, respecting the disputed territory, either at London or Washington, as may be preferred by Great Britain; and that a messenger recently arrived from London, has informed Mr. Fox that instructions for him were nearly ready, I certainly know through an official letter recently received from Washington.

It is probable the Governor of Maine may deem a civil posse, partly armed and partly unarmed, of (say) from 150 to 250 persons necessary, of which he would probably keep a handful at the boom across the Restook, below the mouth of the little Madawaska, on which there is much cut timber exposed, and the remainder at work on "the Restook road" on this side, although under circumstances, he cannot stipulate on the subject, I am certain that he does not intend to send any part of such posse beyond the waters of the Restook River, and that it is his intention so to employ his people in guarding the timber, as to be but little observed, and to give the least possible irritation to the population of New Brunswick. Any aid which you may be pleased to afford in securing the cut timber coming down the St. John, from the Restook district of the disputed territory, after the timber shall have arrived within your undisputed limits, although uninvited by Maine, could not be regarded by her in any unfriendly spirit.